

AMENDED IN ASSEMBLY JUNE 2, 2003  
AMENDED IN ASSEMBLY MARCH 27, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

## ASSEMBLY BILL

**No. 626**

**Introduced by Assembly Member Liu**

February 19, 2003

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An act to add Section 39800.5 to the Education Code, and to add Section 10326.1 to the Public Contract Code, relating to ~~state~~ motor vehicles.

### LEGISLATIVE COUNSEL'S DIGEST

AB 626, as amended, Liu. State vehicles: 15-passenger vans.

Existing law authorizes a governing board of a school district to purchase or lease vehicles to provide transportation of pupils to and from school. Existing law also authorizes the Department of General Services or a state agency, as authorized by the Department of General Services, to contract with suppliers to acquire goods and services for state agencies.

This bill makes legislative findings that 15-passenger vans are unsafe and ~~declare~~ *declares* the intent of the Legislature that all school districts ~~and all state agencies, community colleges, and the California State University~~ should be prohibited from acquiring 15-passenger vans.

This bill would prohibit school districts ~~and state agencies, community colleges, and the California State University~~, from acquiring a 15-passenger van, *as defined*, and would further require, beginning on and after January 1, 2005, that those school districts ~~and state agencies, community colleges, and the California State University~~

that already own a 15-passenger van on January 1, 2004, limit the operation of those vehicles to persons issued an endorsement for the operation of those vehicles and holding a *Class B* driver's license ~~or certificate of the appropriate class~~.

The California Constitution authorizes the Regents of the University of California to enter into public contracts.

This bill would provide that the Legislature recommends that the Regents of the University of California adopt rules and regulations imposing upon the university the requirements contained in the bill.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) The Legislature finds and declares that the  
2 National Transportation Safety Board has recently issued findings  
3 that 15-passenger vans, because of their design, have an  
4 inordinately high incidence of rollover crashes.

5 (b) It is the intent of the Legislature that all school ~~districts and~~  
6 ~~all state agencies and departments, including districts,~~ California  
7 Community ~~Colleges~~ *Colleges*, and the California State  
8 University, should be prohibited from purchasing or leasing  
9 15-passenger vans and that all school ~~districts and all state~~  
10 ~~agencies districts, California Community Colleges, and campuses~~  
11 *of the California State University* that currently own 15-passenger  
12 vans require that those vehicles may only be driven by a person  
13 holding a commercial driver's license.

14 SEC. 2. Section 39800.5 is added to the Education Code, to  
15 read:

16 39800.5. (a) Notwithstanding any other provision of law, ~~no~~  
17 *on and after January 1, 2004, a school district may not purchase,*  
18 lease, or otherwise acquire a 15-passenger van.

19 (b) Any school district that, on January 1, 2004, owns, leases,  
20 or otherwise has possession or control of a 15-passenger van, may  
21 not, on or after January 1, 2005, authorize the operation of that van  
22 unless the person driving or otherwise operating that van has both  
23 of the following:

24 (1) A valid ~~driver's license or certificate of the appropriate~~  
25 ~~class,~~ *Class B driver's license*, as provided in Division 6

(commencing with Section 12500) of the Vehicle Code, issued by the Department of Motor Vehicles.

(2) An endorsement for operating a passenger transportation vehicle, as provided in Article 6 (commencing with Section 15275) of Chapter 7 of Division 6 of the Vehicle Code, issued by the Department of Motor Vehicles.

~~(c) For (1) Except as provided in paragraph (2), for purposes of this section, a “15-passenger van” means any van manufactured to accommodate 15 passengers, including the driver, regardless of whether that van has been altered to accommodate fewer than 15 passengers or to serve as a cargo van.~~  
*passengers.*

*(2) For purposes of this section, a “15-passenger van” does not mean a 15-passenger van with dual rear wheels that has a gross weight rating equal to, or greater than, 11,500 pounds.*

SEC. 3. Section 10326.1 is added to the Public Contract Code, to read:

10326.1. (a) Notwithstanding any other provision of law, ~~no state agency or instrumentality of the state, including the on and after January 1, 2004, California Community Colleges and the California State University, may~~ *University may not* purchase, lease, or otherwise acquire a 15-passenger van.

~~(b) Any state agency or instrumentality of the state, including the California Community Colleges and the California State~~

*(b) A campus or a facility of a California Community College or a campus or a facility of the California State University, that, on January 1, 2004, owns, leases, or otherwise has possession or control of a 15-passenger van, may not, on or after January 1, 2005, authorize the operation of that van unless the person driving or otherwise operating that van has both of the following:*

~~(1) A valid driver’s license or certificate of the appropriate class,~~ *Class B driver’s license*, as provided in Division 6 (commencing with Section 12500) of the Vehicle Code, issued by the Department of Motor Vehicles.

(2) An endorsement for operating a passenger transportation vehicle, as provided in Article 6 (commencing with Section 15275) of Chapter 7 of Division 6 of the Vehicle Code, issued by the Department of Motor Vehicles.

~~(c) For (1) Except as provided in paragraph (2), for purposes of this section, a “15-passenger van” means any van~~

1 manufactured to accommodate 15 passengers, including the  
2 driver, regardless of whether that van has been altered to  
3 accommodate fewer than 15 passengers ~~or to serve as a cargo van.~~  
4 *passengers.*

5 *(2) For purposes of this section, a “15-passenger van” does not*  
6 *mean a 15-passenger van with dual rear wheels that has a gross*  
7 *weight rating equal to, or greater than, 11,500 pounds.*

8 (d) The Legislature recommends that the Regents of the  
9 University of California adopt rules and regulations similar to the  
10 provisions contained in this section.

